

Optional Identification by Lessor/Lessee:

Lease Application Number (assigned by WRD): IL-1243

The water right to be leased is located in **Deschutes** County.

# Application for Instream Lease

A summary of review criteria and procedures that are generally applicable to these applications is available at <a href="https://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a>.

### Pursuant to ORS 537.348(2) and OAR 690-077

Inis Lease	is between:	
Lessor #1:		
Name	City of Sisters	
	dress P.O. Box 39	
City, State,	Zip Code Sisters, OR 97759	
Telephone i	number 541-549-6022	
	ress** estein@ci.sisters.or.us	
Lessor #2,	3, etc. (provide same information as identified above)	
Lessee (if d	lifferent than Oregon Water Resources Department):	
Name	Deschutes River Conservancy	
Mailing add	dress 700 NW Hill St	
	Zip Code Bend, OR 97701	
Telephone r	number541-382-4077 xt 16	
E-mail addr	ress** <u>gen@deschutesriver.org</u> g an e-mail address, consent is given to receive all correspondence from the departmen	
	G AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMEN LIV. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.	<b>[1</b>
EBECINOMICAL		
725 Summe	nter Resources Department er Street NE, Suite A 97301-1266 1900	
	~I~ Water Right Holder and Water Right Information	
1.1	Lessor #1 is the water right holder, or authorized agent for water right hold property located at: Township 15 S, Range 10 E, Section mu and Tax Lot number If the water right appurtenant to these appurtenant to lands owned by others who are not included in this applicate Attachment 1 (tax lot map), needs to be included.	i <mark>ltiple</mark> lands is also

1.2	$\boxtimes$	sor #2 is Not app Official	licable			. <b>f</b>	he irrigation di	strict whi	ch conveys	water to			
	the	subject	vater ri	ghts.			ct water rights			·			
1.3		For the water right(s) being leased, list all water rights appurtenant to the same lands. Indicate if there are any supplemental or overlying rights.											
							13501, 10028 1766) & permit						
1.4		Are some or all of the lands being leased part of a Conservation Reserve Enhancement Program.   Yes No or other Federal program:											
1.5	The Cert (If	first rig ificate N you nee	ht to be lo.: <u>322</u> d to ente	leased in 1972. The second sec	r leased rig	in Section	am.  1.3 is further  use the addition  vater right Jan	al water ri	ght form.)	:			
	Is th	a antira	 water r	ialst agut	tificate he	ing leased	i? ⊠ Yes □ 1	No					
		If no range	, list be e, sectio	low the	acres of t /4 ¼ whic	he subject h will be o	t water right by dried up as part th will not rece	legal des t of this le	ase, and inc				
	Т	If no range	, list be e, sectio	low the	acres of t /4 ¼ whic	he subject h will be a ands whice	t water right by dried up as part	legal des t of this le	ease, and inc *Priority	elude a map			
	T dentify pe	If no range (Atta	sections of the section of the secti	elow the on, and to the	acres of t  4 1/4 whice wing the I  Tax Lot rtificate, if o portion of t	he subject h will be cands whice  Acres certificate is he right pro	t water right by dried up as part the will not rece  Type of Use greater than 10 posed to be leased	legal des t of this le ive water. *Page # ages; identi d was leased	*Priority Date fy priority dat d previously, t	*Previous Lease # e, if there is			
	T dentify pe	If no range (Atta	sections of the section of the secti	elow the on, and to the	acres of t  4 1/4 whice wing the I  Tax Lot rtificate, if o portion of t	he subject h will be cands whice  Acres certificate is he right pro	t water right by dried up as part th will not rece Type of Use greater than 10 p	legal des t of this le ive water. *Page # ages; identi d was leased	*Priority Date fy priority dat d previously, t	*Previous Lease # e, if there is			
mo	T dentify pe	If no rang (Atta	set number	blow the on, and to the table table to the table	acres of t  4 1/4 whice wing the l  Tax Lot rtificate, if c portion of t e identified.	he subject h will be cands whice  Acres certificate is he right pro	t water right by dried up as part the will not rece  Type of Use greater than 10 p posed to be leased ion of a previous	legal des t of this le ive water. *Page # ages; identi d was leased	*Priority Date fy priority dat d previously, t ional.)	*Previous Lease # e, if there is he previous			
1.	T dentify pe	If no rang (Atta	set number	blow the on, and to the table table to the table	acres of t  4 1/4 whice wing the l  Tax Lot rtificate, if c portion of t e identified.	he subject h will be cands whice  Acres certificate is he right pro	t water right by dried up as part the will not rece  Type of Use greater than 10 p posed to be leased ion of a previous	legal des t of this le ive water. *Page # ages; identi d was leased	*Priority Date fy priority dat d previously, t ional.)	*Previous Lease # e, if there is the previous  IL-1079			
1. 2.	T dentify pe	If no rang (Atta	set number	blow the on, and to the table table to the table	acres of t  4 1/4 whice wing the l  Tax Lot rtificate, if c portion of t e identified.	he subject h will be cands whice  Acres certificate is he right pro	t water right by dried up as part the will not rece  Type of Use greater than 10 p posed to be leased ion of a previous	legal des t of this le ive water. *Page # ages; identi d was leased	*Priority Date fy priority dat d previously, t ional.)	*Previous Lease # e, if there is the previous  IL-1079  IL-			
1. 2. 3. 4. 5.	T dentify peopre than or	If no range (Atta	slist be characteristics and seed and seed seed and seed	elow the on, and ! t 2) show where of cere if any be of	acres of t  4 1/4 whice wing the I  Tax Lot rtificate, if c portion of t e identified.  Sisters	he subject h will be c ands whice Acres certificate is he right pro Identificat	t water right by dried up as part the will not rece  Type of Use greater than 10 p posed to be leased ion of a previous  MU	Page # ages; identi d was lease is opti	*Priority Date fy priority dat d previously, t ional.) 5/18/1917	*Previous Lease # e, if there is the previous  IL-1079  IL- IL- IL- IL-			
1. 2. 3. 4. 5.	dentify peore than or	If no range (Attau Retrinent parties on the least 10E least identification of the leas	slist bee, section chimen Sect age number town town storage the associated as	pers of cere. If any ber may be of less being e, if applicated we sift there ociated vestif there	acres of t  4 1/4 whice wing the l  Tax Lot rtificate, if of portion of t e identified.  Sisters  Sisters  loolder, town g leased, i icable: rith the rig is more tha with the ri is more tha	he subject h will be a ands which will be a ands which will be a ands which will be a and will be a	t water right by dried up as part the will not rece  Type of Use greater than 10 p posed to be leased ion of a previous	Page # ages; identi d was leased lease is opti  c lot number acre equiv	*Priority Date fy priority dat d previously, t ional.) 5/18/1917  r, map orienta valent uses)	*Previous Lease # e, if there is he previous  IL-1079  IL- IL- IL- IL- IL- IL- IL- IL- IL- IL			

	the water has <u>not</u> been used over the past five years according to the terms and conditions of the water right certificate, however the water right is not subject to forfeiture under ORS 540.610(2)()(include necessary supporting documentation as Attachment 3).
	~П~ Instream Water Right Information
2.1	Public use. This lease will increase streamflows that will benefit:
	<ul> <li>         \( \sum_{\text{onservation}}\), maintenance and enhancement of aquatic and fish life, wildlife, and fish and wildlife habitat     </li> <li>         \( \sum_{\text{onservation}}\) Pollution abatement     </li> <li>         \( \sum_{\text{onservation}}\) Recreation and scenic attraction     </li> </ul>
2.2	Instream use created by lease of the water right described in Section 1.5.  The instream use to be created is described as follows:
	In the Whychus Creek
	Tributary to <u>Deschutes River</u> in the <u>Deschutes</u> Basin.  Instream volume in acre-feet (may be up to the same as the duty identified in Sec 1.5):
1085	.95 ac-ft Instream rate in cfs (may be up to the same as the daty identified in Sec 1.5): 1.5 cfs
	(If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application).
	<ul> <li>☐ Instream use protected at the point of diversion (POD).</li> <li>☐ Or within a proposed reach.</li> </ul>
	Describe the proposed reach (an instream reach generally begins at the POD and generally ends at the mouth of the source creek/river). If possible list the reach by river mile): from the POD (Branton Ditch) T15S, R10E, WM; section 09 SENE to Lake Billy Chinook.
	Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible.
	(If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)
	If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described:
	Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right):  None
	The instream flow will be allocated on a daily average basis up to the described rate from through  Other (describe):
	(Note: The Department may identify additional conditions to prevent injury and/or enlargement.)
	If you need to enter more instream uses, please use the additional water rights form.
2.3	Term of lease. This lease shall terminate on December 31, 2016.

2.4 Flow protection. The Trustee will regulate use of water from the source, subject to prior appropriation and the agency enforcement guidance, to assure the water is delivered to the point of diversion, and through the reach past junior downstream users, so long as flow is sufficient to meet the demand under priority date of the new instream use (see Section 2.2). As part of regulation activities the watermaster or a designee has access to the point of diversion and place of use for the water rights involved in this lease. No party is required to continuously measure the flow of the waterway described in Section 2.2.

#### ~III~ Other Information

- 3.1 Accuracy. The Undersigned Lessor(s) and Lessee(s) declare that, to the best of their knowledge and belief, the information contained in this application is true, correct and complete. If after the lease order is signed, any information is determined to be false, the lease order may be modified or terminated. The lease only exercises the water rights being leased, for the term of the lease. It shall not be construed to overcome any claim that the water right may otherwise be subject to forfeiture for nonuse pursuant to ORS 540.610 during the period of time prior to the execution of the lease.
- 3.2 Lease. Lessor(s) and Lessee(s) agree to lease the water rights listed in Section(s) 1.5 for instream use for the term of this lease through Lessee to the Trustee, the Oregon Water Resources Department, pursuant to the provisions of ORS 537.348(2) and OAR 690-077.
- 3.3 Precedent. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077 a new injury review shall be required, and a prior lease shall not set a precedent for the amount of water to be leased or transferred instream.
- 3.4 Suspension of original use. During the period of the lease, the water right holder agrees to suspend use of water allowed under the subject water rights and under any water right that is supplemental to the subject water rights.
- 3.5 Termination provision.
  - For multiyear leases, the Lessor(s) shall have the option of terminating the lease each year with written notice to the Department. The lease may be terminated at any time during the calendar year. However, if the termination request is received less then 30-days prior to the period of allowed instream use or after the period of allowed use has begun for the water right(s) being leased, water may not be used under the right(s) leased until the following calendar year, unless the Director determines that enlargement would not occur. The Department may also require:
    - Written notice to the Department;
    - Consent by all parties to the lease; and/or
    - Written notice to the Watermaster's office.
  - For multiyear leases, the lessor shall not have the option of terminating the lease, without consent by all parties to the lease.
- 3.6 Modification to prevent injury. Allocation of water to the instream use described in Section 2.2 during the term of this lease is not reasonably expected to cause injury to other rights to use water from the same source. If injury is found after this lease is signed, the lease may be modified or terminated to prevent injury.

3.7 Fees. Pursuant to ORS 336.030, the following fee is in	icluded:
\$400 for an application with four or more landow	ners or four or more water rights
\$250 for all other applications.	note of four of more mater rights.
5230 for all other applications.	
· le · la	F 7 12
Lessor #1: William Time	_ Date: <u>5-7-/</u> よ
City of Sisters	
City of Sistors	
For additional Lessors, type in space for signature and date	
/	
Manager day t	/ - /
Lessee: XWILLNOVE FILLSENT	Date: 5/7/2012
Lessee: Xenenere Husert  Deschutes River Conservancy	
Beservates raver Conservance	

#### Other Attachments as Needed:

Attachment 1: Tax Lot Map. (See instructions.)

Attachment 2: Detailed map illustrating lands under subject rights to be leased; required if only part of a right is being leased instream. (See instructions.)

Attachment 3: Supporting documentation indicating why a right is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years (required if the second box in Section 1.6 is checked).

Attachment 4: Split Season Instream Use Form



### Instream Lease

February 13, 2012

A summary of review criteria and procedures that are generally applicable to these applications is available at <a href="https://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a>.

### ~I~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.  Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.  The next right to be leased is further described as follows:  Certificate No.: 10028  (If you need to enter another leased right, please use another additional water rights form.)  Priority date: 2/11/1929  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes No  If no, list below the acres to be leased by legal description of township, range, section, and ¼¼, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.											
	Т	R	Sect	1/4 1/4	Tax Lot	Acres	Type of Use	#Page#	*Priority Date	*Previous Lease #	
*(Id than	entify per	tinent pag certifica	te. If any	portion	of the right	proposed to	greater than 10 pa to be leased was lease of a previous lease	ased previou	priority date, i	f there is more	
1.	158	10E	town	of	Sisters		MU		4/7/1937	IL-1079	
2.										IL-	
3.										IL-	
4.										IL-	
5.										IL-	
6.				_						IL-	
7.										IL-	
8.										IL-	
9.										IL-	
10.										几-	
[Atta	ched map	s must ide	entify the	water ri	ght holder, t	ownship, ra	ange, section, 1/4 1/4	, tax lot nun	nber, map orien	tation, and scale.]	
	[Attached maps must identify the water right holder, township, range, section, ¼ ¼, tax lot number, map orientation, and scale.]  Number of acres, if for irrigation (or other acre equivalent use): Acre-feet of storage, if applicable: Maximum Rate associated with leased rights (cfs): 0.2 cfs (Use additional lines if there is more than one rate associated with the water right.)  Maximum Duty associated with leased rights (AF): none listed (Use additional lines if there is more than one duty associated with the water right.)  Conditions or other limitations, if any:										

Section 2.2 continued from Standard Application for Short-Term Instream Lease. Instream use created by lease of the water right described in Section 1.5. The instream use to be created is described as follows: In the Springs tributary to Whychus Creek Tributary to Whychus Creek in the Deschutes Basin. Maximum instream volume in acre-feet (may be same as duty identified in Sec 1.5): 144.79 Maximum instream rate in cfs (may be same as rate identified in Sec 1.5): 0.2 cfs (If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application). Instream use at the point of diversion (POD). Or within a proposed reach. Describe the proposed reach (an instream reach generally begins at the POD. If possible, list the reach by river mile): (see lease final order L-1079) - from POD at T15S, R10E, WM; section 08 SESE through Whychus Creek to Lake Billy Chinook. Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.) If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right): None The instream flow will be allocated on a daily average basis up to the described rate from Other (describe): (Note: The Department may identify additional conditions to prevent injury and/or enlargement.)



### Instream Lease

February 13, 2012-

A summary of review criteria and procedures that are generally applicable to these applications is available at <a href="https://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a>.

#### ~I~ Water Right Holder and Water Right Information

			- '	,	Ment 110	idel iiii	. Willer xilgh	· Amioi m				
	Section 1.5 continued from Standard Application for Instream Lease.  Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.  The next right to be leased is further described as follows:  Certificate No.: 13501  (If you need to enter another leased right, please use another additional water rights form.)  Priority date: 4/7/1937  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes No  If no, list below the acres to be leased by legal description of township, range, section, and ¼ ¼, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.											
	Т	R	Sect	V4 V4	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease #		
			ite. If any	y portion	of the right	proposed to	greater than 10 pa to be leased was lease of a previous lease	ased previou	isly, the previou			
1.	158	10E	4	sw			MU	,	4/7/1937	IL-1079		
2.	158	10E	09	nw			MU		4/7/1937	IL-1079		
3.										IL-		
4.									- 4	IL-		
5.										IL-		
6.										IL-		
7.							,			IL-		
8.										IL-		
9.				_						IL-		
10.										IL-		
[Atta	ched map	s must id	entify the	water rig	ght holder, t	ownship, re	ange, section, 1/4 1/4	, tax lot nun	nber, map orien	tation, and scale.]		
	] (	Acre-fe Maximu Use addi Maximu Use addi	et of stom Rate tional line in Duty	orage, if associa es if there associa es if there	applicable ted with less is more that the state of the st	e:eased right on one rate eased right on one duty	acre equivalents (cfs): 1.25 cf associated with the hts (AF): none leassociated with the	s e water righ isted	t.)			
	(	Jonaiii(	MIS OL O	mei mn	nanons, n	any;						

Additional Water Right Form / 1

Section 2.2 continued from Standard Application for Short-Term Instream Lease. Instream use created by lease of the water right described in Section 1.5. The instream use to be created is described as follows: In the Pole Creek/Swamp Springs Creek Tributary to Whychus Creek in the Deschutes \_\_ Basin. Maximum instream volume in acre-feet (may be same as duty identified in Sec 1,5): 904.96 Maximum instream rate in cfs (may be same as rate identified in Sec 1.5): 1.25 cfs (If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application). Instream use at the point of diversion (POD). Or within a proposed reach. Describe the proposed reach (an instream reach generally begins at the POD. If possible, list the reach by river mile): (see lease final order L-1079) - from POD at T15S, R09E, WM; section 35 SWSE through Pole Creek and Whychus Creek to Lake Billy Chinook. Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.) If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right): None The instream flow will be allocated on a daily average basis up to the described rate from Other (describe): \_\_\_\_ (Note: The Department may identify additional conditions to prevent injury and/or enlargement.)



### Instream Lease

February 13, 2012

A summary of review criteria and procedures that are generally applicable to these applications is available at <a href="https://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a>.

		~I~ V	Vater I	Right Ho	lder and	l Water Righ	t Inform	ation			
Section 1.5 continued from Standard Application for Instream Lease.  Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.  The next right to be leased is further described as follows:  Certificate No.: 13509  (If you need to enter another leased right, please use another additional water rights form.)  Priority date: 11/1/1937  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes \sum No  If no, list below the acres to be leased by legal description of township, range, section, and 1/4 1/4, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.											
Т	R	Sect	<b>% %</b>	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease #		
entify per one on the	tinent pag certifica	te. If any	portion	of the right	proposed to	be leased was lea	ased previou	isly, the previou	there is more s lease number		
158	10E	04	swsw			MU		11/1/1937	IL-1079		
158	10E	04	sesw			MU		11/1/1937	IL-1079		
158	10E	04	nwsw			MU		11/1/1937	IL-1079		
15S	10E	08	nene			MU		11/1/1937	IL-1079		
158	10E	09	nwnw			MU		11/1/1937	IL-1079		
158	10E	09	nenw			MU		11/1/1937	IL-1079		
							_		IL-		
		_							IL-		
					-			-	IL-		
									IL-		
	Subject The next Certifica (If y Priority of Legal Se Is the ent If no whic will t  T  lentify per one on the  158 158 158 158 158 168 168 168 168 168 168 168 168 168 16	Subject Water The next right to Certificate No.:     (If you need Priority date: 11/ Legal Season of Is the entire wate     If no, list bel     which will b     will not rece  T R  In the lentify pertinent pagone on the certifica  15S 10E	tion 1.5 continued from Subject Water Rights. The next right to be least Certificate No.: 13509 (If you need to enter Priority date: 11/1/1937 Legal Season of Use (if Is the entire water right If no, list below the which will be dried will not receive water will not receive water to the which will be dried will be	tion 1.5 continued from Stand Subject Water Rights. Lessor The next right to be leased is further continued from Stand Subject Water Rights. Lessor The next right to be leased is further from the first standard from Standard f	Subject Water Rights. Lessor proposes The next right to be leased is further desc Certificate No.: 13509  (If you need to enter another leased right Priority date: 11/1/1937  Legal Season of Use (if not listed on the list the entire water right certificate being if no, list below the acres to be leased which will be dried up as part of this will not receive water.  TR Sect 1/1/1/1937  Tax Lot lentify pertinent page numbers of certificate, if ce one on the certificate. If any portion of the right may be identified. Iden  158	tion 1.5 continued from Standard Application of Subject Water Rights. Lessor proposes to lease to The next right to be leased is further described as Certificate No.: 13509   (If you need to enter another leased right, please to Priority date: 11/1/1937   Type of use: MU Legal Season of Use (if not listed on the certificate Is the entire water right certificate being leased? If no, list below the acres to be leased by legal which will be dried up as part of this lease. In will not receive water.  The Rect Mark Tax Lot Acres lentify pertinent page numbers of certificate, if certificate is one on the certificate. If any portion of the right proposed to may be identified. Identification of 15S 10E 04 swsw    15S 10E 04 sesw   15S 10E 08 nene   15S 10E 09 nenw   15S 10E 09 nenw	tion 1.5 continued from Standard Application for Instream L Subject Water Rights. Lessor proposes to lease the water rights. The next right to be leased is further described as follows:  Certificate No.: 13509  (If you need to enter another leased right, please use another addit Priority date: 11/1/1937  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes  If no, list below the acres to be leased by legal description of which will be dried up as part of this lease. Include a map (A will not receive water.  TR Sect /// Tax Lot Acres Type of Use  lentify pertinent page numbers of certificate, if certificate is greater than 10 pa one on the certificate. If any portion of the right proposed to be leased was lemany be identified. Identification of a previous lease  158 10E 04 swsw MU  158 10E 04 nwsw MU  158 10E 09 nwnw MU  158 10E 09 nenw MU	tion 1.5 continued from Standard Application for Instream Lease.  Subject Water Rights. Lessor proposes to lease the water rights listed in 1 The next right to be leased is further described as follows:  Certificate No.: 13509  (If you need to enter another leased right, please use another additional water Priority date: 11/1/1937  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes No  If no, list below the acres to be leased by legal description of township, which will be dried up as part of this lease. Include a map (Attachment will not receive water.  TRESCOTE AVE Tax Lot Acres Type of Use *Page #  Lentify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify one on the certificate. If any portion of the right proposed to be leased was leased previor may be identified. Identification of a previous lease is optional.  158 10E 04 swsw MU  158 10E 04 swsw MU  158 10E 08 nene MU  158 10E 09 nwnw MU  158 10E 09 nwnw MU  158 10E 09 nenw MU  158 10E 09 nenw MU  Ched maps must identify the water right holder, township, range, section, ¼¼, tax lot num Number of acres, if for irrigation (or other acre equivalent use): Acre-fect of storage, if applicable: Maximum Rate associated with leased rights (cfs): 1.25 cfs  (Use additional lines if there is more than one rate associated with the water right Maximum Duty associated with leased rights (AF): none listed (Use additional lines if there is more than one duty associated with the water right (Use additional lines if there is more than one duty associated with the water right (Use additional lines if there is more than one duty associated with the water right (Use additional lines if there is more than one duty associated with the water right (Use additional lines if there is more than one duty associated with the water right (Use additional lines if there is more than one duty associated with the water right (Use additional lines if there is m	Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3. The next right to be leased is further described as follows:  Certificate No.: 13509  (If you need to enter another leased right, please use another additional water rights form.)  Priority date: 11/1/1937  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes No  If no, list below the acres to be leased by legal description of township, range, section which will be dried up as part of this lease. Include a map (Attachment 3) showing the will not receive water.  The Sect W.W. Tax Lot Acres Type of Use Page # Priority Date  lentify pertinent page numbers of certificate, if certificate is greater than 10 pages; identify priority date, if one on the certificate. If any portion of the right proposed to be leased was leased previously, the previous may be identified. Identification of a previous lease is optional.)  158		

Additional Water Right Form / 1

Section 2.2 continued from Standard Application for Short-Term Instream Lease. Instream use created by lease of the water right described in Section 1.5. The instream use to be created is described as follows: In the 9 Springs/Pole \_\_\_\_ Creek Tributary to Whychus Creek in the Deschutes Basin. Maximum instream volume in acre-feet (may be same as duty identified in Sec 1.5): 904.96 Maximum instream rate in cfs (may be same as rate identified in Sec 1.5): 1.25 cfs (If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application). Instream use at the point of diversion (POD). Or within a proposed reach. Describe the proposed reach (an instream reach generally begins at the POD. If possible, list the reach by river mile); (see lease final order L-1079) - from POD at T16S, R09E, WM; section 3 SWSW and T16S, R09E, WM; section 10 NWNW through Pole Creek and Whychus Creek to Lake Billy Chinook. Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.) If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right): None ☐ The instream flow will be allocated on a daily average basis up to the described rate from Other (describe): \_\_\_\_\_ (Note: The Department may identify additional conditions to prevent injury and/or enlargement.)



### Instream Lease

February 13, 2012

A summary of review criteria and procedures that are generally applicable to these applications is available at <a href="https://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a>.

### ~I~ Water Right Holder and Water Right Information

Section 1.5 continued from Standard Application for Instream Lease.  Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.  The next right to be leased is further described as follows:  Certificate No.: 65090  (If you need to enter another leased right, please use another additional water rights form.)  Priority date: 8/10/1967  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes No  If no, list below the acres to be leased by legal description of township, range, section, and 1/4 1/4, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.											
	T	R	Sect	44	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease#	
			nte. If an	y portion	of the right	proposed t	greater than 10 pa o be leased was le of a previous lease	ased previou	r priority date, i	f there is more	
1.	15S	10E	19	nene	_		MU		8/10/1967	IL-1079	
2.										IL-	
3,										IL-	
4.										IL-	
5.										IL-	
6.										IL-	
7.										IL-	
8.										IL-	
9.				_						П-	
10.										Ш-	
[Atta	ched map	s must id	entify the	water rig	ght holder, t	ownship, r	ange, section, 1/4 1/4	, tax lot nun	nber, map orien	tation, and scale.]	
	] ( ]	Acre-fe Maximu (Use addi Maximu (Use addi	eet of sto um Rate itional lind um Duty	orage, if associa es if there associa es if there es if there	applicable ted with less more that ted with less more that	e: 6.3 af eased rig in one rate eased rig in one duty	hts (cfs): 0.11 cf associated with th thts (AF):	s e water righ	t.)		

Section 2.2 continued from Standard Application for Short-Term Instream Lease. Instream use created by lease of the water right described in Section 1.5. The instream use to be created is described as follows: In the Pole Creek Tributary to Whychus Creek Basin. in the Deschutes Maximum instream volume in acre-feet (may be same as duty identified in Sec 1.5): 6.3 Maximum instream rate in cfs (may be same as rate identified in Sec 1.5): 0.009 cfs (If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application). Instream use at the point of diversion (POD). Or within a proposed reach. Describe the proposed reach (an instream reach generally begins at the POD. If possible, list the reach by river mile): (see lease final order L-1079) - from POD at T15S, R10E, WM; section 19 SENE creek diversion: 1810 feet south and 1100 feet west from the NE corner of section 19 through Pole Creek and Whychus Creek to Lake Billy Chinook. Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.) If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right): □ None ☐ The instream flow will be allocated on a daily average basis up to the described rate from Other (describe): The town of Sisters in in the wildland interface. This reservoir has been used in the past for fire suppression to protect suburbs of Sisters. In the event of a fire, the reservoir may be filled at some point during the term of the lease for the exempt use of fire suppression. (Note: The Department may identify additional conditions to prevent injury and/or enlargement.)



### Instream Lease

February 13, 2012

TACS

A summary of review criteria and procedures that are generally applicable to these applications is available at <a href="https://www.wrd.state.or.us/OWRD/PUBS/forms.shtml">www.wrd.state.or.us/OWRD/PUBS/forms.shtml</a>.

~I~ Water Right Holder and Water Right Information											
Section 1.5 continued from Standard Application for Instream Lease.  Subject Water Rights. Lessor proposes to lease the water rights listed in 1.3.  The next right to be leased is further described as follows:  Certificate No.: 65091  (If you need to enter another leased right, please use another additional water rights form.)  Priority date: 11/17/1967  Type of use: MU  Legal Season of Use (if not listed on the certificate): Jan 1 - Dec 31  Is the entire water right certificate being leased? Yes No  If no, list below the acres to be leased by legal description of township, range, section, and ¼ ¼, which will be dried up as part of this lease. Include a map (Attachment 3) showing the lands that will not receive water.											
	T	R	Sect	<b>% %</b>	Tax Lot	Acres	Type of Use	*Page#	*Priority Date	*Previous Lease#	
*(Id than	entify per one on the	tinent par certifica	te. If any	portion (	of the right	proposed to	greater than 10 pa to be leased was lease of a previous lease	ised previou	isly, the previou	there is more s lease number	
1.	158	10E	04	swne senw			ми		11/17/1967	IL-1079	
2.	158	10E	04	S 1/2			MU		11/17/1967	IL-1079	
3.	158	10E	05	E1/2 sw1/4			MU		11/17/1967	IL-1079	
4.	15S	10E	05	se 1/4			MU		11/17/1967	IL-1079	
5.	158	10E	08	n 1/2, ne 1/4			MU		11/17/1967	IL-1079	
6.	158	10E	08	sene			MU		11/17/1967	IL-1079	
7.	158	IOE	09	w1/2, ne1/4			MU		11/17/1967	IL-1079	
8.	15S	10E	09	sene			MU		11/17/1967	IL-1079	
9.	158	10E	09	nw1/4	1		MU		11/17/1967	IL-1079	
10.	15S	10E	09	nwsw			MU		11/17/1967	IL-1079	
[Attached maps must identify the water right holder, township, range, section, ¼ ¼, tax lot number, map orientation, and scale.]  Number of acres, if for irrigation (or other acre equivalent use):  Acre-feet of storage, if applicable:											
	Maximum Rate associated with leased rights (cfs): 1.45 cfs (Use additional lines if there is more than one rate associated with the water right.)  Maximum Duty associated with leased rights (AF): none listed (Use additional lines if there is more than one duty associated with the water right.)										
	(	Conditio	ons or o	iner iimi	itations, if	any:					

Additional Water Right Form / 1

Section 2.2 continued from Standard Application for Short-Term Instream Lease. Instream use created by lease of the water right described in Section 1.5. The instream use to be created is described as follows: In the Pole Creek Tributary to Whychus Creek in the Deschutes Basin. Maximum instream volume in acre-feet (may be same as duty identified in Sec 1.5): 1043.24 Maximum instream rate in cfs (may be same as rate identified in Sec 1.5); 1.441 cfs (If not certain of the instream rate or volume, please contact the Department for more information on how to fill out this section of the application). Instream use at the point of diversion (POD). Or within a proposed reach. Describe the proposed reach (an instream reach generally begins at the POD. If possible, list the reach by river mile): (see lease final order L-1079) - from POD at T15S, R10E, WM; section 19 SENE creek diversion: 1810 feet south and 1100 feet west from the NE corner of section 19 through Pole Creek and Whychus Creek to Lake Billy Chinook. Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.) If the POD is not described on the Certificate or if there is more than one POD listed on the certificate, then the specific POD must be described: Conditions to prevent injury, if any (use this section to indicate a more restrictive period of use than allowed by the water right): □ None The instream flow will be allocated on a daily average basis up to the described rate from \_ through \_\_\_ Other (describe): Not routed through the reservoir during instream lease. The town of Sisters in in the wildland interface. This reservoir has been used in the past for fire suppression to protect suburbs of Sisters. In the event of a fire, the reservoir may be filled at some point during the term of the lease for the exempt use of fire suppression.

(Note: The Department may identify additional conditions to prevent injury and/or enlargement.)